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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/714,709	11/17/2003	Anthony E. Faltesek	SYS-P-1200 (8364-90289)	2343
7590	03/28/2005			EXAMINER POPE, DARYL C
Honeywell International, Inc. Patent Services Group 101 Columbia Road P.O. Box 2245 Morristown, NJ 07962			ART UNIT 2632	PAPER NUMBER

DATE MAILED: 03/28/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	10/714,709	FALTESEK, ANTHONY E.	
	Examiner	Art Unit	
	DARYL C POPE	2632	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on _____.
- 2a) This action is FINAL. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-25 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____. |

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DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2. Claims 6 and 9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
3. Claims 6 and 9 recite the limitation "members of the plurality" in line 1. There is insufficient antecedent basis for this limitation in the claim.

ART REJECTION:

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. **Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Wilson et al(5,400,246).**

-- In considering claim 1, the claimed subject matter that is met by Wilson et al(Wilson) includes:

- 1) the generating an indicia indicative of operational status of at least part of a system to monitored and sensing the presence of the indicia within a predetermined window to determine operation status met by the indicator lights(282) and digital

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readouts(283, figure 4C) on the control panel(280) indicating operation status of a specific piece of equipment chosen to be monitored by a user of the system(see: column 20, lines 3-30).

-- **Claims 2-3, and 5-6** recite subject matter that is met as discussed in claim 1 above, as well as:

1) the generating a plurality of spaced apart indicia, each of which is indicative of operation status of at least part of the system, each of which is associated with a different part of the system, presenting members of the plurality in visual form, and having visual output indicative of the status is met by the plurality of spaced apart indicator lights and readouts(282-289, figure 4C).

-- **Claim 4** recites subject matter that is met as discussed in claim 3 above, as well as:

1) the generating a time-based visual presentation of a plurality of status indicating indicia is met by a user of the system being able to enter specified times of monitoring for the various operations of monitored systems(see: time buttons(170-176), column 16, lines 46-65).

-- In considering **claims 7-8**, it would have been inherent that any of the indicators(282-289) would have been readily utilized as an alarm indicative of failure, such as the readout(283) which provides temperature, and therefore would have readily indicated a temperature that would have bee too high or too low which would have been an indication of failure.

As well, all other claimed subject matter is met as discussed in claim 5 above.

-- **Claim 9** recites subject matter that is met as discussed in claim 5 above, as well as:

1) the member being generated by a selected component associated with on of a selected system or subsystem is met by the indicator lights of figure 4C being generated by a user selected pump control system(see: column 19, lines 53 et seq).

-- In considering **claims 10-17**, the claimed subject matter that is met by Wilson includes:

1) the first and second feedback circuitry, monitoring circuitry response to the first and second feedback signals, indicator circuitry, plurality of elements for monitoring functional operation of different portions of at least one system, common control unit, executable instructions for formatting the visual indicators, and building environmental control system is met by the personal computer(12) including MASTER CONTROL program, which controls several electronically-controlled devices and/or electronic subsystem configurations which provides functional status information as discussed in claims 1-9 above, to a user via graphical representation on the computer screen(figure 4C) as desired by the user(see: column 19, lines 36 et seq).

-- **Claims 18-25** recite subject matter that is met as discussed in claim 15 above, as well as:

1) the elements periodically providing an indication/modulated electrical signals indicative of the functionality of respective portions of the system is met by the user of the system being able to enter specified times of monitoring and indication for the status of various operations of monitored systems(see: time buttons(170-176), column 16, lines 46-65), such that indication of status signals are sent from the controlled electronic

devices and/or electronic subsystems to the MASTER CONTROL program of the personal computer;

2) the instructions executable by the common control unit is met by the MASTER CONTROL program of the personal computer(12) provides all monitoring and control functions of the monitored system(see: column 19, lines 36-52).

Conclusion

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to DARYL C POPE whose telephone number is (571) 272-2959. The examiner can normally be reached on M-TH 8:00-6:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, DANIEL WU can be reached on (571) 272-2964. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Daryl C. Pope

March 19, 2005

DARYL C POPE
Primary Examiner
Art Unit 2632

